

November 4, 2002

Mr. H. A. Sepp, Manager
Regulatory and Licensing Engineering
Westinghouse Electric Company
Nuclear Services
P.O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR CALLAWAY PLANT
(TAC NO. MB6478) (CAW-02-1558)

Dear Mr. Sepp:

By letter dated October 3, 2002 (ULNRC-04744), the Union Electric Company (UEC) submitted information related to its request to revise Technical Specification 5.5.9, "Steam Generator (SG) Tube Surveillance Program," to clearly delineate the scope of the tube inspection required in the SG tubesheet region for the rotating pancake coil (RPC). Enclosure 5 to the letter contained the proprietary (Enclosure 5a) and non-proprietary (Enclosure 5b) versions, respectively, of Westinghouse WCAP-15932, "Improved Justification of Partial-Length RPC Inspection of Tube Joints of Model F Steam Generators of Ameren-UE Callaway Plant," Revision 0, dated September 2002.

The nonproprietary version of WCAP-15932 has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room, and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room.

By the affidavit dated October 4, 2002, signed by you for Westinghouse Electric Company, which is in Enclosure 5c to UEC's letter, you requested that the NRC withhold the information designated proprietary information in the non-proprietary and proprietary versions of the WCAP report. The proprietary information is within brackets in the two versions of the report. The affidavit stated that the proprietary information (hereafter known as "The information") should be exempt from mandatory public disclosure for the following reasons:

- i. The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
 - (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.

- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

We have reviewed the information that is sought to be withheld from public disclosure in accordance with the requirements of 10 CFR 2.790, and on the basis of your statements in the affidavit, we have determined that the information sought to be withheld contains proprietary commercial information and should, in accordance with 10 CFR 2.790(b)(5), be withheld from public disclosure.

Therefore, the information designated as proprietary, that which is within brackets in Enclosure 5a to the October 3, 2002, letter from UEC, will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the information. If the need arises, we may send copies of this information to our consultants working in this area. If this is done, we will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC of this fact. You should also understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes this information. In all review situations, if the NRC makes a determination adverse to the above determination, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, please contact me at 301-415-1307, or through the internet at jnd@nrc.gov.

Sincerely,

/RA/

Jack Donohew, Senior Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-483

cc: See next page

- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

We have reviewed the information that is sought to be withheld from public disclosure in accordance with the requirements of 10 CFR 2.790, and on the basis of your statements in the affidavit, we have determined that the information sought to be withheld contains proprietary commercial information and should, in accordance with 10 CFR 2.790(b)(5), be withheld from public disclosure.

Therefore, the information designated as proprietary, that which is within brackets in Enclosure 5a to the October 3, 2002, letter from UEC, will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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Sincerely,

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Jack Donohew, Senior Project Manager, Section 2
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Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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Adams Accession No.: ML022880523

*For previous concurrences see attached ORC

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DATE	10/31/2002	10/31/03	10/23/02	10/29/02	11/1/02

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Callaway Plant, Unit 1

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